

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

MICHAEL FITE

PLAINTIFF

v.

Civil No. 05-5158

JO ANNE B. BARNHART, Commissioner,  
Social Security Administration

DEFENDANT

**ORDER**

Plaintiff has submitted a complaint for filing in this district, together with a request for leave to proceed *in forma pauperis*. After review, it is found that plaintiff is unable to pay for the costs for commencement of suit and, accordingly, the following order is entered this 8th day of September 2005:

IT IS HEREBY ORDERED that plaintiff's motion for leave to proceed *in forma pauperis* is granted. The clerk is hereby directed to file the complaint *nunc pro tunc* as of September 6, 2005. Additionally, the court hereby directs that a copy of the complaint filed herein, along with a copy of this order, be served by the plaintiff by certified mail, return receipt requested, on the defendant, Jo Anne B. Barnhart, Commissioner, Social Security Administration, as well as Alberto R. Gonzales, U.S. Attorney General, and Mark Webb, Assistant U.S. Attorney, without prepayment of fees and costs or security therefor. The defendant is ordered to answer within sixty (60) days from the date of service.

IT IS SO ORDERED.

U. S. DISTRICT COURT  
WESTERN DISTRICT ARKANSAS  
FILED

SEP 12 2005

CHRIS R. JOHNSON, CLERK

BY

*A.G.*  
DEPUTY CLERK

*Beverly Stites Jones*

HON. BEVERLY STITES JONES  
UNITED STATES MAGISTRATE JUDGE